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February 29, 2024

via ECF:

Hon. Cecelia G. Morris
United States Bankruptcy Judge
Southern District of New York
355 Main Street
Poughkeepsie, New York 12601-3315

Re: Weisshaus v. Stein,
Adversary Proceeding No. 23-09024 (CGM)

Your Honor:

I represent Shalom S. Maidenbaum and Jonathan Stein, who are defendants in this adversary proceeding. This responds to plaintiff Yoel Weisshaus's request for a discovery conference.

Maidenbaum and Stein concur in the request for a discovery conference. At the request of Mr. Weisshaus and Mr. Fischman, I amended the deposition notice to reschedule the depositions for March 27 (Fischman) and March 28 (Weisshaus). However, similar agreements occurred in the related state court case, and Mr. Fischman spent seven years not appearing on the agreed dates, which led to the criminal contempt citation and the outstanding arrest warrant against him. Regarding Mr. Weisshaus, he is an employee of Levi Huebner, Esq., an attorney who represented Fischman in the contempt proceedings that resulted in the warrant for Fischman's arrest. Therefore, I believe a brief conference would be productive so the Court could enter an order on the record that Mr. Weisshaus and Mr. Fischman appear on the rescheduled dates.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Eric W. Berry

Eric W. Berry

cc: Defendant Yoel Weisshaus (by email)
Anne Penachio, Esq. (via ECF)